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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

E-FILED - 2/6/07

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID L. GARCIA,

Defendant.

Case No.: CR 05-00342-RMW

STIPULATION AND ORDER
RESCHEDULING SENTENCING HEARING

IT IS HEREBY STIPULATED between the parties and based upon such stipulation it is hereby ordered, that the defendant's sentencing hearing, which was scheduled for Monday, January 29, 2007 at 10:00 a.m. be continued and a new sentencing hearing date of Monday, February 12, 2007 at 10:00 a.m. is hereby set. The reason for this stipulation is because defense counsel was ill on January 29, 2007 and unable to attend the hearing. After conferring with John Glang, A.U.S.A., both parties have mutually agreed upon the February 12, 2007 sentencing date.

It is so stipulated.

Dated: 1-31-06.

_____/s/John Glang_____
JOHN N. GLANG
Assistant United States Attorney

It is so stipulated.

Dated: 1-31-06.

_____/s/ Robert Lyons_____
ROBERT W. LYONS
Attorney for Defendant

1 It is so ORDERED:

2 Dated: 2/6/07.



RONALD M. WHYTE
United States District Judge